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REMARKS

Claims 1-41 have been subjected to a restriction requirement under 35 U.S.C. §121 which requires an election between Group I containing Claims 1-22 and drawn to an apparatus for screening material in an array and Group II containing Claim 23-41 drawn to a process for screening an array of materials. Applicants hereby affirm the telephonic election of 9/8/2003, without traverse, to prosecute the invention of Group I containing Claims 1-22. The non-elected claims, Claims 23-41 are hereby cancelled. Applicants reserve the right to file additional applications drawn to the cancelled subject matter.

The drawings are objected to under 37 CFR 1.83(a) as failing to show every feature of the invention as specified in the claims. Applicants assert that the drawings properly show every feature of the invention as specified in the claims and applicants provide the following support for their assertion.

As to the heat source in alignment with the window as in Claim 2, applicants point to FIG. 2 where a heat source, specifically laser 34, is in alignment with window 12. The last line of Paragraph 32 provides "[l]aser 34 is positioned in alignment with passage 6 and window 12." Paragraph 35 (page 14 lines 22-23) provides that "[t]he selected material is heated to the desired temperature using the radiation source that is aligned with the passage and the window" and (page 14 lines 27-28) "[i]t is most preferred that the radiation source be a laser." Therefore, Claim 2 claiming a heat source in alignment with the window is fully supported by the drawings and applicants request that the objection to the drawings be withdrawn.

As to the heater in contact with the cell as in Claim 9, FIG. 1 shows only selected elements of the cell of the apparatus including heater 15 shown adjacent cell internals including array support 18, semipermeable membrane 20, window 12, and toothed o-ring 16. Paragraph 32 describes heaters 15 inserted through first portion 4 of cell 2 to provide heat to interior of cell 2. Paragraph 31 states "...the heaters can be cylindrical rods that are inserted through the portions of the cell to heat the interior cell volume." Heater 15 was not also shown in FIG. 2 due to the number of elements already present in the vicinity of the heater location. However, FIG. 1, along with the cited text, provide the

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requisite support for claim 9 requiring at least one heater in contact with the cell and depicts the heater in the claimed configuration. Therefore, applicants request that the objection to the drawings be withdrawn.

The spacing support positioned between the array support and the window of Claims 6 and 7 is shown in FIGs. 1 and 2 as toothed o-ring 16. Paragraph 32 states that array support 18 is spaced apart from window 12 by toothed o-ring 16, thereby clearly describing the spacing support of Claims 6 and 7. Paragraph 25 further states that it is preferred that a spacer such as an o-ring be placed between the window and the array support, and it is most preferred that the spacer or o-ring contain notches or teeth so that fluid can flow freely around the spacer or o-ring and contact the array of materials. In Figs. 1 and 2, toothed o-ring 16 clearly shows notches or teeth as claimed in Claim 7 and discussed in paragraph 25.

The drawings were also objected to for failing to adequately show inlets and outlets. Again turning to Fig. 2, fluid inlet 8, fluid outlet 10, and fluid outlet 24 are all clearly shown. The fluid inlet and fluid outlets are described in paragraph 32 and 33. With all of the claimed elements being clearly shown in the drawings, applicants respectfully request that the objection to the drawings be withdrawn.

Claims 1, 4, 10, 16, and 17 stand rejected under 35 USC 102(b) and 35 USC 103(a) as anticipated by or obvious over Cutler et al. Claims 5 and 6 stand rejected under 35 USC 103(a) obvious over Cutler et al. Claims 18 and 19 stand rejected under 35 USC 103(a) obvious over Cutler et al. in view of Willson III. Claims 3 and 21 stand rejected under 35 USC 103(a) obvious over Cutler et al. in view of Capuano et al. or Miroslav. Applicants traverse these rejections and assert that the cited references do not teach or suggest each and every element of applicants' invention. For example, in Cutler, Fig 1 and Fig. 2 show connectors 50 to be on the same side of a membrane, and FIG. 11 and 13 show inlet 88 and outlet 90 to be on the same side of a membrane. In direct contrast, applicants' claims require a fluid inlet and at least one fluid outlet on opposite sides of the combination of the array support and the semipermeable membrane. However, for expediency, and in light of Claims 2, 11-15, 18, 20, and 22 being found to be allowable if rewritten in independent form, applicants have cancelled the rejected independent claims and amend the rejected dependent claims to depend from an allowable claim and have

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provided new or amended independent claims directed toward the allowable subject matter. Applicants reserve the right to refile additional patent applications directed to the cancelled subject matter.

Claim 1 has been amended to incorporate the limitation of allowable claim 2 and is therefore now allowable. Claims 3-22 ultimately depend from allowable Claim 1 and are therefore allowable. Claims 23-41 are cancelled. Allowable Claim 11 has been rewritten in independent form as new claim 42, and new claims 43-46 depend from claim 42. Allowable Claim 12 has been rewritten in independent form as new claim 47, and new claims 48-50 depend from claim 47. Allowable Claim 18 has been rewritten in independent form as new claim 51, and new claims 52-55 depend from claim 51. Allowable Claim 20 has been rewritten in independent form as new claim 56, and new claims 57-60 depend from claim 56.

With the cancellation of the rejected independent claims and the allowable claims being rewritten in independent form, all claims are in condition for allowance; such action is respectfully requested.

Respectfully submitted,



Maryann Maas
Attorney for Applicants
Reg. No. 38,954
(847) 391-2137 (phone)
(847) 391-2387 (fax)

James W. Hellwege, Reg. No. 28,808
Washington Counsel
(703) 205-8021